WP(C) 5230/2007

BEFORE

HON'BLE MR. JUSTICE B.K. SHARMA

The matter relates to alleged non-payment of Contractor's bill amounting to Rs. 3,67,355/-, which according to the petitioner he is entitled to for the contract work he has carried out with the respondents.

I have heard Mr. A. Matlib, learned counsel for the petitioner and Mr. B. Gogoi, learned Standing Counsel, Health Department.

According to Mr. Matlib, the petitioner has carried out the contract work as indicated in Annexure - 1 to the writ petition. Mr. Gogoi, learned Standing Counsel, Health Department, on the other hand submits that the matter needs examination by the respondents.

In view of the above and as agreed to by the learned counsel for the parties, the writ petition is disposed of with a direction to the respondents to examine the claim of the petitioner and upon such examination, if it is found that the petitioner is entitled to the aforesaid amount of Rs. 3,67,355/- for the contract work which he allegedly carried out under the respondents in terms of Annexure-1 orders, the same shall be disbursed to the petitioner. The entire exercise shall be carried out within a period of four months from the date of receipt of the certified copy of this order which the petitioner shall furnish to the respondents along with a copy of the writ petition and its enclosures.

The respondents may also verify as to whether the petitioner executed the works in question at all and if so, whether as per the specification of the work order and to the satisfaction of the respondents and as to whether any deduction is required to make.

The respondents may also examine as to whether the claim made by the petitioner is barred by limitation.

Writ petition is disposed of